The James Miller Case: Some Facts and Some Questions

On August 22 and September 21, 1963, Mike Caron, a courier for the Cotroni heroin smuggling organization headquartered in Montreal, delivered approximately 160 pounds of pure heroin to persons whom he did not know at the Bridgeport Motor Inn, in Connecticut. On the second trip, Caron had a cup of coffee with two of the recipients of the shipment. Three weeks thereafter,he was arrested, promptly confessed, and gave descriptions of the two men.

Caron described the taller of the two men as between thirty-eight and forty-two, of Italian or Jewish extraction, with dark curly hair, dark complexion, Roman nose and a pointed chin. He estimated the height at 5'10" - 5'11" and the weight at 200 lbs.

On October 21, 1963, thirty days after his last meeting in Bridgeport, Caron looked at a photograph of Anthony "Big Nose" Mancuso and said he was "fairly certain" that Mancuso was the taller man, although he doubted that the man he met had been as heavy as depicted in the photograph.

Authorities soon discovered, however, that Mancuso was most unlikely to have been in Bridgeport in August and September, as he had been in jail on a gambling charge until July 29th, then had been under bail restrictions which confined him to New York until October 11th, when his gambling charge was disposed of. Federal agents told Caron to look at some more photographs. This time, Caron saw a resemblance to the culprit in the photograph of James Miller (although Caron had earlier passed over photos of Miller without recognition).

Caron was shown several more photographs of Miller while being interrogated and while negotiating for his guilty plea, sentence, and hoped-for pardon. Despite the repeated exhibition of Miller photographs, some of them shown very suggestively by agents, Caron remained unwilling to make a positive identification of Miller. Five months after his arrest, Caron was finally taken to view Miller surreptitiously, while Miller was engaged in business. He watched Miller from a short distance for several hours, but still failed to make positive identification. He was then "interrogated" at length and taken back to view Miller again, the next day. This time, Miller was his man.

Later, a former resident of Bridgeport, Mario "The Hawk" Natalizio, confessed several times to several persons that he, not James Miller, was the guilty man. Natalizio's photograph had not been exhibited to Caron during the identification process.

Here are some photographs of the three men above, from the front:

Anthony "Big Nose" Mancuso
5'8", 200 lbs, curly black hair, dark complexion, Roman nose, pointed chin, Italian

Mario "The Hawk" Natalizio
6', 200 lbs, curly black hair, dark complexion, Roman nose, pointed chin, Italian

James Miller
6', 175 lbs, curly black hair, light complexion, non-descript nose, receding chin, Irish

and from the side:

Which man or men fit the description Caron gave before any influences were brought to bear upon him, i.e. 5'10" - 5'11" tall, 200 lbs, dark complexion, Roman nose, pointed chin, and Italian? Natalizio.

As between Natalizio and Miller, which man more closely resembles Mancuso, the man whom Caron was "fairly certain" was the culprit before authorities changed his mind? Note the eyes, the nose, and the chin. Natalizio.

Here are some other troublesome facts:

1. James Miller, not Natalizio, was arrested and prosecuted for the crime. Miller now faces a second trial, more than six years after the crime was committed.

2. James Miller has protested his innocence from the day of his arrest and has offered to take any tests the Government wishes to administer. The Government has declined his repeated offers.

3. At the behest of his attorneys, James Miller took truth serum and a lie detector test, both administered by competent experts. He passed both tests and the experts are convinced that he is innocent.

4. Customers and business records place Miller at work in his beauty shop, fifteen miles from the crime, during the several hours in which each transfer of heroin occurred.

5. Natalizio has confessed to Miller, which confession was tape recorded, has confessed in writing, and has confessed orally to two private investigators. Though he later repudiated the confessions, he refused to take a lie detector test.

6. Subpoenaed to appear before a federal grand jury in February, 1969, Natalizio, after learning that he was to be questioned about the Miller case, failed to appear and became a fugitive.

7. Included in his confessions to private investigators was the fact that Natalizio drove a Buick from Miami, Florida to Bridgeport to commit the crime, and that he committed the crime with two other men from Miami who were "on the lam". Witnesses have testified that Natalizio lived in Miami with two fugitives, Rosario ("Harry") Ippolito and Anthony DiPasqua; that he and Ippolito drove north in a Buick "for a score" in late July and returned in late August, flush with money, and reporting that they had been in Bridgeport. Natalizio, Ippolito and DiPasqua then returned a week later to Bridgeport and were there on September 21, 1963, when Caron's second shipment was delivered. On the evening of September 21, after the delivery of the shipment, Natalizio and Ippolito went to New York for a celebration party.

8. Natalizio's two companions were known narcotics smugglers. All three were close associates of Salvatore Giglio, high ranking member of the Cotroni smuggling organization and conceded by the Government to have been a participant in the conspiracy. DiPasqua has five narcotics convictions and was, from 1960 until 1967, a fugitive from a federal indictment of several fellow members of the Cotroni organization, charging them with smuggling heroin. DiPasqua, along with Angie Tuminaro, was

described by Government officials in the McClellan Committee Hearings in 1963, as one of the largest heroin smugglers in New York City. Ippolito was a parole violator and fugitive from a life term for murder. Until Angie Tuminaro's arrest in 1962, Ippolito was his roommate. Ippolito then moved in with DiPasqua and Natalizio.

9. Ippolito, Natalizio, and Tuminaro were all seen at the Fairfield Motor Inn near Bridgeport on the day of the crime, September 21, 1963. Ippolito was a guest in the motel.

10. In November, 1963, a few weeks after Caron confessed, Natalizio returned to Bridgeport and hired a man to remove registration records from the Bridgeport and Fairfield Motor Inns, for dates in August and September, 1963. This man testified that one of the names "sounded like 'tini' and could well have been 'Sabbatini.'" Ippolito's alias during the period was Harry Sabbatini.

11. Caron described the second man he saw in Bridgeport, as about 5'8", 140-150 lbs, 45-50 years of age, a sloppy dresser, and a cigarette smoker with heavy nicotine stains on the fingers of his left hand. He described the man's eyes as light blue, his complexion "flush" or "bumish". Prison records show Ippolito's height to be 5' 7 3/4, his age 52 at the time of the crime. Witnesses describe him as having a light to medium, bumish complexion, weighing about 150 lbs. They also state that he smoked three to four packs of cigarettes daily and made frequent unsuccessful efforts to remove the tobacco stains from his fingers.

Caron wasn't shown a photograph of Ippolito, however. Instead, Government agents who believed the second man at Bridgeport was Salvatore Giglio succeeded in getting Caron to identify the photograph of Giglio. Giglio, however, is only 5'4", is very dark complexioned, an immaculate dresser, carefully groomed with no stains of any kind on his fingers.

12. Caron also assisted a Government artist in creating a sketch of the second man at Bridgeport. It is reproduced below, alongside photographs of Ippolito and Giglio:

Rosario Ippolito, alias Harry Sabbatini, age in 1963, 52, 5' 7 3/4", 150 lbs., dark brown graying hair, light to medium complexion, flush face, sloppy dresser, heavy cigarette smoker, chronic nicotine stains on fingers (photo taken in 1952).

Second culprit at Bridgeport, as described by Caron. Age 45-50, 5'8", 140-150 lbs., black/gray hair, blue eyes, flush face, sloppy dresser, heavy nicotine stains on left hand.

Salvatore Giglio, age in 1963, app. 58, 5'4", 130-140 lbs, black hair, dark complexion, cigar smoker, immaculate dresser, immaculately groomed, face unblemished (photo taken in 1958).

Giglio is conceded by all to have been a participant in the conspiracy, but was he the second man at Bridgeport, or was it Rosario "Harry" Ippolito? The description is quite close to Ippolito, bears no resemblance to Giglio. How about the drawing? Note carefully the shape and texture of the eyebrows, the shape of the eyes, the nose, the ears, the lips, the shape of the head. The facts strongly suggest that the man seen with Natalizio in Bridgeport was Ippolito rather than Giglio. Caron made two mistakes, not just one.

In view of this evidence, most of which is in court records, all of which is available to the Government, a number of questions would seem to be raised, including:

1. Why has the Department of Justice declined even to respond to letters from the defense, letters which offer full cooperation, disclosure of all evidence, and lie detectors of all witnesses?

2. Why is the Department of Justice proceeding to retry James Miller in the face of overwhelming evidence of his innocence?

3. Why is no serious effort being made by the Government to locate and arrest Natalizio?

4. Why has DiPasqua never been questioned about this case? Why has his indictment in New York never come to trial?

5. Why and how was Ippolito released in August, 1969, after being arrested as a parole violator from a life term?

6. Why does the Department of Justice persist in denying that any of these men -- Natalizio, Ippolito, DiPasqua -- were involved in the crime? How does it account for the evidence?

7. Why did the Department of Justice never follow up defense leads, supplied more than five years ago, that the crime was committed by Natalizio and a companion from Miami named Harry?

8. Why was there no investigation of defense leads, provided in 1967, that linked DiPasqua, along with Natalizio and "Harry", to the crime?

9. Why weren't the photos of Natalizio and Ippolito shown to Caron early in the identification process?

10. What is being covered up? by whom? why?

11. How much heroin has been imported into this country since 1963 by Natalizio, DiPasqua, and Ippolito, who have been and still are at large? If they were importing half the nation's supply in 1963, has their share increased or diminished since Caron, with Government help, identified others as the smugglers?